

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

David Catanzaro,

Plaintiff,

v.

Seaman Garson LLC/LLP, et al.,

Defendants.

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Case No. 1:13-cv-00996

Judge Polster

Magistrate Judge White

MOTION TO SUBSTITUTE COUNSEL FOR PLAINTIFF

Plaintiff, David Catanzaro, wishes to substitute Rex H. Elliott, Charles H. Cooper, Jr., and Barton R. Keyes of the Columbus law firm Cooper & Elliott LLC as his counsel of record. Mr. Catanzaro has discharged his former attorney, Michael Cassidy, and retained Cooper & Elliott to represent him in this case. Both Michael Cassidy and the Cooper & Elliott attorneys have signed this Motion.

Local Rule 83.9 provides that the "attorney of record may not withdraw, nor may any other attorney file an appearance as a substitute for the attorney of record, without first providing written notice to the client and all other parties and obtaining leave of Court." Accordingly, Mr. Catanzaro respectfully asks this Court to allow 1) his former attorney, Michael Cassidy, to withdraw as counsel of record, and 2) Messrs. Elliott, Cooper, and Keyes to substitute and appear as counsel of record. Mr. Catanzaro submits the attached declaration in support of this motion.

Respectfully submitted,

/s/ Rex H. Elliott

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Charles H. Cooper, Jr. (0037295)

Barton R. Keyes (0083979)

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Proposed Substituting Attorneys for Plaintiff

David Catanzaro

/s/ Michael P. Cassidy

Michael P. Cassidy (0001087)

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Proposed Withdrawing Attorney for Plaintiff

David Catanzaro

LOCAL RULE 7.1(f) PAGE LIMIT CERTIFICATION

This case is not yet assigned to a track. This Memorandum adheres to the 20 page limit for memoranda in unassigned cases established by Local Rule 7.1(f).

/s/ Rex H. Elliott

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Motion to Substitute Counsel for Plaintiff was filed electronically and served electronically on the following counsel of record, this 11th day of October, 2013:

Monica A. Sansalone, Esq.
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*Attorney for Defendant
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/s/ Rex H. Elliott